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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION  
UNDER 37 C.F.R. §153(b)

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. §1.53(b) of pending Application No. 10/300,015 filed on November 20, 2002, for DEUTERATED RAPAMYCIN COMPOUNDS, METHOD AND USES THEREOF, by the following named inventor(s):

- (a) Full Name Selvaraj Naicker
- (b) Full Name Randall W. Yatscoff
- (c) Full Name Robert T. Foster

☐ Applicant(s) hereby requests that the above-captioned application NOT BE PUBLISHED under 25 U.S.C. §122(b) and 37 C.F.R. §1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application:

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

☒ applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.

1. ☒ Enclosed is a copy of the prior Application No. 10/300,015 as originally filed on November 20, 2002, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					770.00
Total Claims	15	Minus 20 =	0	x \$18.00 =	0
Independent Claims	1	Minus 3 =	0	x \$86.00 =	0
If multiple dependent claims are presented, add \$290.00					0
Total Application Fee					770.00
If small entity status is claimed, subtract 50% of Total Application Fee					385.00
Add Assignment Recording Fee of \$ _____ if Assignment document is enclosed					
<b>Total Application Fee Due *Not Included</b>					<b>385.00</b>

5. ☒ No fee is enclosed. Applicants hereby request the issuance of a Notice to File Missing Parts.
6. ☒ Cancel in the application original claims 1-32 of the prior application before calculating the filing fee.
7. ☐ New drawings are enclosed. See Submission of Formal Drawings and Figures \_\_\_\_\_.
8. ☐ Priority of Application No. \_\_\_\_ filed on \_\_\_\_ in \_\_\_\_ (Country) is claimed under 35 U.S.C. §119.
- ☐ The certified copy of the priority application
- ☐ is enclosed.
- ☐ was filed on \_\_\_\_ in prior Application No \_\_\_\_ filed on \_\_\_\_, and acknowledged by the Examiner on \_\_\_\_ in Paper No. \_\_\_\_.
- ☐ has not yet been filed.

9. ☒ Please amend the specification by inserting before the first line the sentence:
- ☒ --This application is a ☒ continuation ☐ divisional of Application No. 10/300,015, filed on November 20, 2002; which is a continuation of Application No. 09/987,812, filed on November 16, 2001; which is a continuation of Application No. 09/348,015, filed on July 6, 1999, now U.S. Patent No. 6,342,507; which is a continuation-in-part of Application No. 09/148,623, filed on September 4, 1998, now abandoned; which claims benefit of Application No. 60/057,632, filed on September 5, 1997--.
- ☐ This application is a ☐ continuation ☐ divisional of U.S. Application No.            filed on           , which was a national stage filing under 35 U.S.C. §371 of International Application No.            filed on           .
- ☐ This application is a ☐ continuation ☐ divisional of U.S. Application No.            filed on           , which was a continuation of International Application No.            filed on           .
10. ☒ A preliminary amendment is enclosed.
11. ☒ An Information Disclosure Statement together with Form PTO-1449 is enclosed; 0 copies of the references cited are enclosed.
12. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
13. ☐ Also enclosed           .
14. ☒ The power of attorney in the prior application is to Mary Ann Dillahunty et al.
- a. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
- b. ☒ A copy of the power in the prior application is enclosed.
- c. ☒ A Power of Attorney and Correspondence Address Indication Form together with attached Statement Under 37 C.F.R. 3.73(b) are enclosed.

- f. ☒ Address all future communications to: (May only be completed by applicant, or attorney, or agent of record.)

Mary Ann Dillahunty  
FISH & RICHARDSON P.C.  
500 Arguello Street  
Suite 500  
Redwood City, CA 94063-1526

Date: January 9, 2004

By: Susan Sutterfield Wilks  
Susan Sutterfield Wilks  
Registration No. 48,192

Address of Signator:

Isotechnika, Inc.  
17301 North Perimeter Drive  
Suite 100  
Scottsdale AZ 85255

☐ Inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37C.F.R. §1.34(a)

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL, Express Mail Label #ER072745984US, in an envelope addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 9, 2004.

Date: 1/09/04

Pamela A. Matheis  
Pamela A. Matheis